

Message Text

CONFIDENTIAL

PAGE 01 PARIS 08152 021118Z

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ACTION L-02

INFO OCT-01 EUR-12 ISO-00 SCA-01 JUSE-00 SCCT-01 SSO-00

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FM AMEMBASSY PARIS

TO SECSTATE WASHDC IMMEDIATE 8049

C O N F I D E N T I A L PARIS 08152

E.O. 11652: GDS

TAGS: CPRS, PFOR, FR

SUBJECT: EXTRADITION - HOLDER/KERKOW

REF: STATE 73161; PARIS 08L35

1. HAVING RECEIVED GREEN LIGHT FROM JUSTICE MINISTRY TO PRESENT SUPPLEMENTARY FACTUAL EVIDENCE INFORMALLY AT LAST MOMENT, WE FEEL OBLIGED AND PLAN TO INCLUDE TEXT OF AFFIDAVIT OF PILOT OF FIRST PLANE TRANSMITTED WITH STATE'S 73161. IF IT EVER WERE TO BECOME KNOWN THAT WE HAD WITHHELD IT, IT WOULD BE VERY DAMAGING AND COULD SERIOUSLY HURT OUR CREDIBILITY IN THIS AND FURTHER CASES. WHILE AFFIDAVIT MIGHT SUPPORT DEFENSE ARGUMENT THAT FUGITIVES ORIGINALLY INTENDED TO GO TO HANOI, IT DOES NOT AFFECT OUR BASIC POSITION THAT CRIME WAS NOT POLITICAL AND IS EXTRADITABLE.

2. WE PLAN ALSO TO MENTION IN COVERING LETTER THAT PILOT OF SECOND PLANE SAID IN AFFIDAVIT THAT FUGITIVES NEVER MENTIONED VIETNAM TO HIM.

3. PLEASE CABLE TEXT OF NEWELL'S AFFIDAVIT IF AVAILABLE AND INFORM US IMMEDIATELY WHETHER DEPARTMENT HAS ANY OBJECTIONS TO COURSE OF ACTION WE PROPOSE TO TAKE.
RUSH

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Message Attributes

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Disposition Authority: buchantr
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Disposition History: n/a
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